

Exhibit 3

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

DONALD TRUMP, IN HIS OFFICIAL CAPACITY
AS PRESIDENT OF THE UNITED STATES; et al.

Defendants.

C.A. No. 1:25-cv-00039

**DECLARATION OF THE COLORADO DIVISION OF HOMELAND SECURITY AND
EMERGENCY MANAGEMENT IN SUPPORT OF
THE STATES' RENEWED SECOND MOTION TO ENFORCE THE COURT'S ORDERS
PERTAINING TO FREEZE OF FEMA FUNDS**

I, Michael Haney, declare and state as follows:

1. I am the Director of the Office of Grants Management at Colorado's Department of Public Safety's Division of Homeland Security and Emergency Management ("DHSEM"). I make this declaration based on my own personal knowledge. If called upon to testify, I could and would testify completely to the truth of the matters stated herein.

2. As the Director of the Office of Grants Management, I have personal knowledge of the matters set forth below, or have knowledge of the matters based on my review of information and records gathered by my staff.

3. I am providing this declaration to explain the continued impacts of FEMA's denial of access to funds that had been guaranteed to the State of Colorado under various grant programs, described below.

4. The DHSEM's mission is to lead and support Colorado's effort to prevent, protect, mitigate, respond to and recover from all hazardous events.

5. The DHSEM is responsible for administering grants and managing homeland security and emergency management programs. Approximately half of DHSEM's funding comes from the federal government.

6. From February 18, 2025, to March 24, 2025, DHSEM has requested or attempted to request over \$33 million in reimbursement costs from FEMA under 14 grant programs. None of the requests have been approved.

7. The FEMA Public Assistance program provides assistance so that communities can quickly respond to and recover from major disasters or emergencies. DHSEM is awaiting reimbursement from FEMA for \$24,199,379.20 under this program, having submitted requests to FEMA that are still pending on February 19, March 5, and March 14, 2025.

8. The State Homeland Security Grant Program provides risk-based grants to assist state, local, tribal and territorial efforts in preventing, protecting against, mitigating, responding to and recovering from acts of terrorism and other threats. DHSEM is awaiting reimbursement from FEMA for \$438,999.60 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19, February 20, March 5, and March 17, 2025.

9. The Emergency Management Performance Grant provides state, local, tribal and territorial emergency management agencies with the resources required for implementation of the

National Preparedness System and works toward the National Preparedness Goal of a secure and resilient nation. The grant's allowable costs support efforts to build and sustain core capabilities across the prevention, protection, mitigation, response and recovery mission areas. DHSEM is awaiting reimbursement from FEMA for \$2,372,068.62 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 18, February 19, March 3, March 5, March 13, and March 17.

10. The Nonprofit Security Grant Program provides assistance to enhance security for nonprofit organizations that are at high risk of terrorist attack. DHSEM is awaiting reimbursement for \$514,373.02 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19, March 5, March 10, and March 17, 2025.

11. The Emergency Operations Center Grant improves emergency management and preparedness capabilities. DHSEM is awaiting reimbursement for \$1,143.91 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19 and March 17, 2025.

12. The State and Local Cybersecurity Grant program provides funding to eligible entities to address cybersecurity risks and threats to information systems owned or operated by or on behalf of state, local, or tribal governments. DHSEM is awaiting reimbursement for \$4,513,194.65 under this program, having either submitted a request to FEMA that is still pending or having been denied access to submit the request on February 19, March 5, and March 17, 2025.

13. The Building Resilient Infrastructure and Communities program supports states, local communities, tribes and territories as they undertake hazard mitigation projects, reducing the risks they face from disasters and natural hazards. DHSEM is awaiting reimbursement for

\$7832.43 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19, March 5, and March 17, 2025.

14. The Flood Mitigation Assistance grant program provides funding to state, territory and local governments and federally recognized Tribal Nations for projects that reduce or eliminate the risk of repetitive flood damage to buildings insured by the National Flood Insurance Program. DHSEM is awaiting reimbursement for \$136.54 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19 and March 4, 2025.

15. The Hazardous Materials Emergency Preparedness grant program provides support to increase State, Territorial, Tribal, and local effectiveness in safely and efficiently handling hazardous materials incidents. DHSEM is awaiting reimbursement for \$938.41 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19 and March 5, 2025.

16. The Pre-disaster Mitigation grant program provides funding to state, local, tribal, and territorial governments to plan for and implement sustainable cost-effective measures designed to reduce the risk to individuals and property from future natural hazards, while also reducing reliance on federal funding from future disasters. DHSEM is awaiting reimbursement for \$45,405.01 under the program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19, March 5, and March 17, 2025.

17. The Shelter and Services Program supports Customs and Border Protection in the safe, orderly, and humane release of noncitizen migrants from short-term holding facilities. DHSEM is awaiting reimbursement for \$266,601.47 under the program, having either submitted

a request to FEMA that is still pending or having been denied access to submit a request on February 19, 2025.

18. The Targeted Violence and Terrorist Prevention grant program provides funding for state, local, tribal, and territorial governments; nonprofits; and institutions of higher education to establish or enhance capabilities to prevent targeted violence and terrorism. DHSEM is awaiting reimbursement for \$61,077.79 under the program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19, March 5, and March 17, 2025.

19. The Urban Area Security Initiative grant program provides funding to enhance regional preparedness and capabilities in designated high-threat, high-density areas to prevent, protect against, mitigate, respond to, and recover from acts of terrorism and other threats. DHSEM is awaiting reimbursement for \$735,642.68 under the program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 19, March 5, and March 17, 2025.

20. The Hazard Mitigation Grant Program provides funding to state, local, tribal and territorial governments so they can develop hazard mitigation plans and rebuild in a way that reduces, or mitigates, future disaster losses in their communities. This grant funding is available after a presidentially declared disaster. DHSEM is awaiting reimbursement for \$542,909.11 under this program, having either submitted requests to FEMA that are still pending or having been denied access to submit the requests on February 21, March 5, and March 17, 2025.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

Executed this 24th day of March, 2025, in Centennial, Colorado.

/s/

Michael Haney
Director, Office of Grants Management
Colorado Division of Homeland Security and
Emergency Management